

WEDNESDAY, January 7, 1852.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Smith—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Day, from the committee on Private Land Claims, to which was referred the petition of P. H. Pearson, reported a bill for his relief, which was read first time.

Mr. Taylor presented the petition of Coleman D. Smith; referred to the committee on the Judiciary.

Mr. Taylor presented the petition of the trustees of Chapel Hill College; referred to the committee on Education.

Mr. Taylor, also, presented the petition of Gibson Myers and others, praying the privilege of establishing a toll bridge across White Oak creek; referred to the committee on Roads, Bridges and Ferries.

Mr. Hart, from the committee on Public Lands, reported back for the consideration of the Senate, a bill for the relief of James Frazer.

Mr. Taylor, chairman of the committee on Private Land Claims, reported back a bill for the relief of William Guyman, deceased, and recommended its passage.

Mr. Davis made the following report:

'The committee on Internal Improvements, to which was referred the petition of Solomon Wolfe, asking that a charter be granted to him to make a Turnpike Road at the crossing of the Neches river, on the San Antonio road, have had the same under consideration, and have instructed me to report that Jesse Duren resides at the crossing of said river, and has a ferry boat, and that he has incurred considerable expense to enable him to cross travellers at all times over said stream, and the bottom of the same; and that the lands belong to him on one bank of the river, and he has the right of way upon the other bank; and it would be doing him great injustice to grant to the petitioner the privilege he asks. The committee have, therefore, instructed me to report the said petition back to the Senate, and recommend that no further action be taken upon the same.

Mr. Davis, chairman of the committee on State Affairs, reported back a joint resolution for the relief of the company commanded by Captain William Becknell, in the year 1837, and recommended its passage, with the following amendment:

Amend by adding to the end of the first section: "Provided, that the members of said company would have been entitled to

the bounty land they ask for, by law, if their discharges had been countersigned by a field officer."

Mr. Reaves, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed, to wit :

A bill supplementary to an act to amend the second and seventh sections of an act to organize the supreme court of the State of Texas, approved May 12, 1846 ;

A bill to amend an act to define the time of holding the district courts in the fifth judicial district ; and

A bill to authorize the sale of the unsold and forfeited lots in the city of Austin and tract adjoining.

Mr. Hill introduced a bill to require the counties of Kaufman, Van Zandt and Wood to pay a portion of the old debt of the county of Henderson ; read first time.

Mr. Merriman introduced a bill to encourage the reporting of the decisions of the supreme court ; read first time.

Mr. Truit introduced a joint resolution for the benefit of Thomas William Ward ; read first time.

Mr. Day offered the following resolution :

Resolved, That the Judiciary committee be instructed to inquire into the expediency of purchasing a sufficient number of law books for the accommodation and use of the supreme court, and report by bill or otherwise.

ORDERS OF THE DAY.

The resolution of the Senate, tendering to the citizens of Austin the use of the Senate chamber, on the 8th inst., was read and adopted.

A message was received from the House, informing the Senate that the House had passed a bill confirming the action of the Auditor and Comptroller, under the provisions of an act of the Legislature to provide for ascertaining the debt of the late Republic of Texas, &c. ; also, a bill for the relief of the estate of Jabez Fitzgerald, deceased, with an amendment.

On motion of Mr. Hill, a bill for the investigation and determination of eleven league land claims in Robertson's colony, and part of Burnet's colony, was taken from the table and read.

On motion of Mr. Hill, the bill was amended by striking out after "Robertson's," in first section, the following words : "colony, and within the limits of that part of ;" and after "colony," in the next line, the words "west of the Trinity river."

Mr. Hill offered the following amendment :

Strike out section 10, and insert in lieu thereof: "That in the

investigation and determination of all matters which may come before any court, pursuant to the provisions of this act, such court shall be governed by the rules and principles of law and equity ;" adopted.

Mr. Merriman offered the following amendment :

" Provided, that this act shall extend to, and embrace all grants of land in the State for more than one league and labor, and shall not apply to any grant or grants, to establish which suits are now pending in any of the courts of this State, or the United States courts." Adopted by the following vote :

YEAS—Messrs. Bigelow, Bogart, Burks, Davis, Day, Doane, Gray, Grimes, Merriman, Meusebach, Reaves, Truit and Wilson—13.

NAYS—Messrs. Armstrong, Dancy, Duggan, Eddy, Hart, Hill, Parker, Scott, Sterne, Taylor and Williams—11.

On motion of Mr. Hart, the bill was laid on the table.

The Senate concurred in the amendment of the House to a bill for the relief of the estate of Jabez Fitzgerald, deceased.

A bill to prescribe the time of holding the courts in the second judicial district of the State of Texas ; read, and, on motion of Mr. Davis, laid on the table.

Mr. Eddy, by leave, introduced a bill for the relief of Sam Bogart ; read first time.

On motion of Mr. Hill, a bill for the relief of Jim Shaw, a Delaware Indian, was taken from the table and read.

On motion of Mr. Hill, the bill was amended by striking out after the word " children," the following words : " and that said claim, when so audited, be paid in like manner as other second class claims against the late Republic of Texas."

The bill was then ordered to be engrossed.

The following bills were severally read third time and passed, to wit :

A bill to define the time of holding the district courts in the tenth judicial district ;

A bill giving two weeks session to the district court of Montgomery county ;

A bill transferring an appropriation for the survey of land scrip ;

A bill for the relief of Luther T. M. Plummer ;

A bill for the relief of Andrew J. Harrison ;

A bill to incorporate the town of Carthage, in Panola county ; and

A bill to incorporate the city of San Antonio.

On motion of Mr. Dancy, a bill to prescribe the time of hold-

ing the courts in the second judicial district of the State of Texas, was taken from the table and passed.

Mr. Kinney, by leave, introduced a joint resolution requesting the Governor to solicit the President of the United States, to cause the limits of the eighth military department to be extended so as to embrace the entire State of Texas, &c. ; read first time.

On motion of Mr. Kinney, the rule was suspended, and resolution read second time.

Mr. Dancy moved to refer it to the committee on State Affairs ; lost.

On motion of Mr. Taylor, the Senate adjourned until 3 o'clock p. m.

3 O'CLOCK, P. M.

Senate met—roll called—quorum present.

Joint resolution requesting the Governor to solicit the President of the United States to cause the limits of the eighth military department to be so extended as to embrace the entire State of Texas, being under consideration when the Senate adjourned, was taken up and ordered to be engrossed.

Mr. Dancy, by leave, presented the petition of James Goocher ; referred to the committee on Private Land Claims.

The following bills were severally read third time and passed, to wit :

A bill supplementary to an act to amend the second and seventh sections of an act to organize the supreme court of the State of Texas, approved 12th May, 1846

A bill to amend an act to define the time of holding the district courts for the fifth judicial district ; and

A bill to authorize the sale of the unsold and forfeited lots in the city of Austin and tract adjoining.

A bill for the relief of the settlers residing near the eastern boundary line of Texas, before the same was established, together with the report of the committee on the Judiciary, offering amendments thereto, was read. The first amendment offered by the committee was adopted.

On motion of Mr. Taylor, the second amendment was amended by inserting after the word "issued," the following words: "or any county formed out of any territory of such county:"

The amendment was then adopted.

Mr. Taylor offered the following amendment to come in at the end of second section : "Provided, that the costs in any case under this act shall not be adjudged against any applicant who shall sustain his application ;" adopted, and amendment as amended adopted.

The bill was then ordered to be engrossed.

A bill for the relief of William H. Parker ; read and passed to third reading by the following vote :

YEAS—Messrs. Bigelow, Bogart, Day, Duggan, Eddy, Grimes, Hill, Merriman, Parker, Scott, Truit and Wilson—12.

NAYS—Messrs. Burks, Dancy, Davis, Hart, Meusebach, Reaves and Taylor—7.

A bill for the relief of John B. Thacker ; read ;

Mr. Dancy moved to amend the bill by inserting after "Thacker," the words "Michael Short of Fayette county;" adopted, and bill passed to third reading.

Mr. Armstrong, by leave, introduced a bill to create the county and territory of Bell into a separate land district ; read first time

A bill for the relief of Julia Buchanan ; read, and passed to third reading.

A bill to incorporate Galveston College ; read, and passed to third reading.

Joint resolution fixing the time at which the fourth session of of the Legislature shall adjourn ; read.

Mr. Reaves offered the following as a substitute :

Resolved, That with the consent of the House of Representatives, the present Legislature will adjourn *sine die* on Monday, the second day of February, A. D. 1852.

On motion of Mr. Bogart, the resolution was amended by striking out "second day of February ;" and, on motion of Mr. Bigelow, the resolution was laid on the table.

The report of the committee on Claims and Accounts, on the petition of Jacob Snively, was read and adopted.

A bill to incorporate the Texas Western Railroad company ; read, and, on motion of Mr. Davis, made the order of the day for Tuesday, 13th January.

A bill to authorize the county court of Limestone county to rent or lease the Springfield Bridge ; read and ordered to be engrossed.

A bill to incorporate the Lake Creek Bridge and Turnpike company, together with the report of the committee on Roads, Bridges and Ferries, offering an amendment thereto, was read, amendment adopted, and bill ordered to be engrossed.

A bill for the relief of Thomas J. Rusk, David Rusk and James H. Starr ; read.

Mr. Sterne offered as a substitute for the bill, a bill for the relief of José Maria Mora, his legal heirs or assigns ; read and adopted, and bill ordered to be engrossed by the following vote :

YEAS—Messrs. Armstrong, Bigelow, Bogart, Davis, Day, Doane, Eddy, Grimes, Hill, Merriman, Meusebach, Parker, Reaves, Sterne and Truit—15.

NAYS—Messrs. Burks, Dancy, Duggan, Hart, Scott, Taylor and Wilson—7.

A bill for the relief of William H. Kennedy ; read.

Mr. Parker offered as a substitute, a bill for the relief of William H. Kennedy and David Ayers ; rejected.

The question was then taken on the engrossment of the bill, and lost.

A bill to set apart ten leagues of land for Indian purposes ; read, and, on motion of Hill, made the special order for Monday next, the 12th inst.

The following communication was received and read :

AUSTIN, January 7, 1852.

To the Hon. J. W. HENDERSON,

President of the Senate :

SIR :—I herewith transmit through you to the Senate, copies of the official report of the fall of Bexar, and surrender of Gen. Cos.

These copies were printed at the instance of the late lamented General Burleson, for the purpose of distribution among the members of the present Senate ; and in transmitting them I am only fulfilling the wishes of the heroic leader in that gallant action, expressed to me during his last illness.

This small memento of one whose loss is deeply lamented by all, will be properly appreciated by Senators ; and I am highly gratified in thus complying with a simple request as a slight tribute to departed worth.

Your obedient servant,

N. C. RAYMOND.

On motion of Mr. Wilson, the Senate adjourned until Friday morning 10 o'clock.

FRIDAY, January 9, 1852.

The Senate was called to order by the President *pro tem.* pursuant to adjournment—prayer by the Rev. Mr. Smith—roll called—quorum present.

The journal of Wednesday was read and adopted.

Mr. Scott presented the petition of Silas M. Grace ; referred to the committee on Private Land Claims.

Mr. Eddy introduced a bill amending the estray laws ; read first time.

On motion of Mr. Wilson, the Senate adjourned until 10 o'clock to-morrow morning.